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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,011	01/08/2004	Ivan Duzevik	08211/0200348-US0/P05778	7721
38845	7590	08/05/2005	EXAMINER	
DARBY & DARBY P.C.			WELLS, KENNETH B	
P.O. BOX 5257			ART UNIT	
NEW YORK, NY 10150-5257			PAPER NUMBER	
			2816	
DATE MAILED: 08/05/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/755,011	Applicant(s) DUZEVNIK ET AL.	
	Examiner Kenneth B. Wells	Art Unit 2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-16,18,19,21,22,24 and 26-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-13, 15, 18, 21, 22, 24 and 28-30 is/are rejected.
- 7) ☒ Claim(s) 14,16,19,26 and 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The amendment filed on 7/27/05 has been received and entered in the case. In view of newly discovered prior art, the previously indicated allowability of claims 7, 15, 18 and 25 is now withdrawn. Any inconvenience caused by the delay in citing this new prior art is regretted.

2. Claims 1 and 14 are objected to because of the following informalities: in each of these claims, "the fourth variable resistance circuit" lacks antecedent basis. Appropriate correction is required.

3. Claims 1, 3-6, 8-11, 15, 18, 21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Macaluso.

Note Fig. 2, where the "output driver circuit" is the entire figure; the recited "differential amplifier circuitry" is the combination of FETs Mo through M3; the recited first through fourth variable resistance circuits are FETs M9, M10, M6 and M8, respectively; the recited "transistor" on line 14 of claim 1 is FET M4; and the first and second operational amplifier circuits are OP1 and OP2, respectively. The recited functional limitations of the above-noted claims are all deemed to inherent in the operation of the Macaluso Fig. 2 circuitry. The current

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source/sink circuits of claims 10 and 11 read on FETs M5 and M7, respectively., and the third operational amplifier circuit of claim 18 is OP3.

4. Claims 7-13, 24 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi in view of any one of Raymond, Nagano et al and Cho et al.

Yamauchi is applied as set forth in the previous office actions. The use of a resistor in parallel with the FETs of the first through fourth variable resistance circuits, though not disclosed by Yamauchi, nevertheless would have been obvious to those having ordinary skill in the art because such is old and well-known in the art, as taught by each of the three secondary references. The motivation to use a resistor in parallel with the FETs of the first through fourth variable resistance circuits in Yamauchi's Fig 1 is to obtain the various advantages associated with such a parallel arrangement, see column 3, lines 8-15 of Raymond, column 1, lines 36-44 of Cho et al, and the paragraph bridging columns 13 and 14 of Nagano et al.

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5. Claims 14, 16, 19, 26 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. In view of the above-noted new grounds of rejection not necessitated by applicant's amendments, this action is non-final.

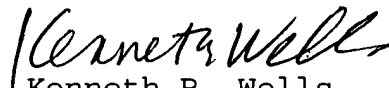
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757. The examiner can normally be reached on Monday through Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kenneth B. Wells
Primary Examiner
Art Unit 2816

August 4, 2005